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IN THE U.S. PATENT AND TRADEMARK OFFICE Patent Application Transmittal Letter

Mail Stop Patent Application **Commissioner for Patents** PO Box 1450 Alexandria, VA 22313-1450

Transmitted herewith for filing under 37 CFR 1.53(b) is a(n): (X) Utility ( ) Design

(X) original patent application,

( ) continuation-in-part application

INVENTOR(S): Yuhong Xiong, et al.

TITLE:

APPARATUS AND METHOD FOR ESTIMATING DEVICE AVAILABILITY

| Enclosed | are: |
|----------|------|
|----------|------|

| (X) The Declaration and Power of Attorney. | (X) signed ( ) unsigned or partially signed      |
|--|--|
| (X) 8 sheets of drawings (one set)         | ( ) Associate Power of Attorney                  |
| ( ) Form PTO-1449 ( <b>x</b> ) In          | formation Disclosure Statement and Form PTO-1449 |
| ( ) Priority document(s) ( ) (Other)       | (fee \$)   |

|  | CLAIMS AS           | FILED BY OTHER T    | HAN A SMALL EN | ITITY |             |
|--|---------------------|---------------------|----------------|-------|-------------|
| (1)<br>FOR   | (2)<br>NUMBER FILED | (3)<br>NUMBER EXTRA | (4)<br>RATE    |       | (5)<br>TALS |
| TOTAL CLAIMS                                       | 29 — 2              | 9                   | X \$18         | \$    | 162         |
| INDEPENDENT<br>CLAIMS                              | 4 —                 | 3 1                 | × \$86         | \$    | 86          |
| ANY MULTIPLE<br>DEPENDENT CLAIMS                   | 0                   |                     | \$290          | \$    | 0           |
| BASIC FEE: Design (\$340.00 ); Utility (\$770.00 ) |                     | \$                  | 770            |       |             |
| TOTAL FILING FEE                                   |                     |                     | \$             | 1,018 |             |
| OTHER FEES   |                     |                     | \$             |       |             |
|  | •                   | TOTAL CHARGES TO D  | EPOSIT ACCOUNT | \$    | 1,018       |

Charge \$ Charge \$\_\_1.018\_\_\_ to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

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Date of Deposit 05/19/2004

I hereby certify that this is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Alexandria, Commissioner Patents, for 22313-1450

Typed Name: Steven W.

Respectfully submitted,

Yuhong Xiong,

Steven W. Smyrski

Attorney/Agent for Applicant(s)

Reg. No. 38,312

Date: May 19, 2004

Telephone No.: 310.397.9118